IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6601 OF 2006

1. Ananda Ramu Shinde & Ors, .. Petitioners.
Vs
1. Sharada Balkrishna Mane and Ors .. Respondents.

Mr S.S.Patwardhan, for the petitioners.
Mr P.S.Dani, for respondent no.1.

CORAM : **D.B.BHOSALE,J.**
DATE : 02.03.2007
PC:

1. Heard the learned counsel for the parties.

2. By this writ petition, the petitioners have impugned an order dated 10.8.2006 passed on Misc. Civil Appeal No.51 of 2006, by which the appeal was allowed and the order dated 22.3.2006 passed by the trial court on the application at Exhibit-23 was set aside and the parties were directed to maintain status-quo in respect of the suit property till final disposal of the suit. By the order dated 22.3.2006 passed on the application at Exhibit-23, the order dated 20.1.2005 passed on the application at Exhibit-5 in the suit was modified and the plaintiff was restrained to obstruct the construction of road and use of it by the defendants in the suit property until final disposal of the suit. The order dated 20.1.2005 passed on the

application at Exhibit-5 was carried in appeal, being Misc.Civil Appeal No.18 of 2005, by the petitioners-defendants. The appeallate court, while dismissing the appeal, however, observed that the plaintiff shall not demolish the existing suit road in Gat No. 576 or 505,506 and 507 until further orders of the trial Court. Keeping this order in view and the impugned order by which the parties are directed to maintain status-quo in respect of the suit property till final disposal of the suit, no interference in this writ petition under Article 227 of the Constitution of India is warranted. Hence, the writ petition accordingly fails and disposed of as such.

(D.B.BHOSALE,J.)